IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4976 OF 2004

Shri Hanumant Hiraman Satpute ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri S.S. Kulkarni for Applicant.
Shri K.V. Saste, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : NOVEMBER 25, 2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. It is seen that the Applicant has been implicated on the basis of the information given by the father of the deceased which was reduced into writing as FIR. According to the prosecution, the father of the deceased was informed about the event that unfolded by the deceased himself. This was over heard by the sister of the deceased. Except these two persons, no other prosecution witness has named the appilcant as having participated in the commission of offence. Learned APP fairly accepts this position.

Taking over all view of the matter and as investigation is complete, coupled with the fact that there is no other direct material against the Applicant, the Applicant deserves to be enlarged on bail on the following conditions :-

(a) The Applicant is enlarged on bail in connection with C.R.No. 326/2004, registered with Kothrud Police Station, on executing personal bond in the sum of Rs. 25,000/- (Rs. Twentyfive thousand only) with two local sureties in the like amount.

(b) The Applicant shall regularly report to the investigation officer once in a fortnight on Saturday between 10 a.m. to 2 p.m.

(c) The Applicant shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that he is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(d) The Applicant shall not leave jurisdiction of Dattawadi Police Station without prior intimation to

the investigating officer as well as to the trial court.

(e) He shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

. Ordered accordingly.

.....